

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO. 2005-10508-RGS

**JOSEPH E. BLAKE,
Plaintiff,**

v.

**ROBERT MURPHY, *et al*,
Defendants.**

DEFENDANT'S MOTION FOR CONTINUANCE

NOW COMES the Defendants, Robert Murphy and Kathleen Dennehy,¹ by and through undersigned counsel, and hereby moves this honorable Court to continue the hearing date for defendants' motion to dismiss, or, alternatively, for summary judgment, currently scheduled for October 16, 2007, to a date to be determined by the Court.

The defendants' counsel's mother passed away on Saturday, October 13, 2007. The funeral is scheduled for October 16, 2007. Counsel has been the only counsel for the defendants. Because of the complicated nature of the issues involved, and the schedule of other DOC attorney's, it is not practical to seek a stand-in counsel.

¹ The Massachusetts Department of Correction ("DOC") was originally a defendant in this action. On or about October 31, 2005, the Court dismissed all claims against DOC. To the extent that the defendant raises any additional claims against DOC in his Amended complaint, undersigned counsel will represent DOC as well.

Respectfully Submitted

by the Commonwealth

NANCY ANKERS WHITE
Special Assistant Attorney General

by: /s/ Brian P. Mansfield
Brian P. Mansfield, Counsel
Department of Correction
Massachusetts Treatment Center
30 Administration Road
Bridgewater, Massachusetts 02324
(508) 279-8180
BBO Number 564671

Dated: October 14, 2007

CERTIFICATE OF SERVICE

I hereby certify that I did this day serve a photocopy of the above document upon the plaintiff's by filing the same with the Court electronically.

Dated: October 14, 2007

/s/ Brian P. Mansfield
Brian P. Mansfield